

**MAYOR AND COUNCIL OF FEDERALSBURG
REGULAR MONTHLY MEETING
MONDAY, DECEMBER 7, 2009 @ 6:00 P.M.**

The regular monthly meeting of the Mayor and Council of Federalsburg was held on Monday, December 7, 2009 at 6 p.m. in the Mayor and Council Meeting Room. Those in attendance were Mayor Fluharty, Councilmembers Windsor, Willis, Armes and Bollinger. Also in attendance were staff, guests, citizens, and local media.

The meeting was called to order by Mayor Fluharty who led the group in reciting the Pledge of Allegiance.

A MOMENT OF SILENCE IN REMEMBRANCE OF PEARL HARBOR DAY

Richard Colburn requested a moment of silence in remembrance of Pearl Harbor Day.

Guests:

Chief Donald Nagel - Police Promotions

Chief Nagel announced the promotions of Jerry Stivers, III, Alton Hoffman and Jeffrey Adams to the rank of Patrolman First Class. Chief Nagel also presented the officers with stripes for their uniforms. The Mayor and Council congratulated the officers and thanked them for their hard work and dedication as police officers in Federalsburg.

Mrs. June Truitt – Triangle Committee Update

Mrs. Truitt gave an update on the status of the Triangle Committee to the Mayor and Council.

Mrs. Truitt thanked Steve Dyott and the Public Works Department for their help with the triangle. She also thanked Haines Holt for volunteering to move the Santa House and she thanked Lywood Electric for rewiring the entire triangle. She advised that the Lions Club decorated the triangle this year for Christmas.

Mrs. Truitt requested the Mayor and Council replace the flag pole in the triangle. After the flag pole has been installed she said the committee will plant shrubbery. Mrs. Truitt was advised that the Mayor and Council believe the funds for installation of a flag pole at the triangle remained in the budget and Public Works would be advised to look into the replacement.

Mayor Fluharty advised Mrs. Truitt that the Mayor and Council are in the process of forming a Park Committee and they would like a representative from the Triangle Committee to sit on the board.

Mrs. Truitt asked the Mayor and Council to send a thank you note to Lywood Electric for the work that he did in rewiring the triangle. She said that the triangle committee had thanked him but a letter from the Mayor and Council should also be sent. The Mayor and Council agreed to send a thank you letter to Mr. William Lyden/Lywood Electric for their work in the triangle.

Sandy Hayman – Quit Claim Deed Request for Rifkin Village

Ms. Sandy Hayman, Choptank Abstracts was present to request the Mayor and Council approve and sign the Quit Claim Deed for transfer of the roadbed known as Charlotte Avenue in Rifkin Village. Ms. Hayman said that this Deed was a matter of house keeping for title insurance purposes. Ms. Hayman presented a Quit Claim Deed that was prepared by Robert Jarrell, Attorney.

The Mayor and Council questioned whether or not there would be any cost that would have to be borne by the Town for this transfer and Ms. Hayman stated that the town would not have any expenses because all expense would be borne by the developer.

Ms. Hayman explained that in the 1950's when the Rifkin Village property was originally subdivided, the roadbed and lots were laid out based on current zoning regulations and the roadway was deeded to the Town. In 2005 when the property was purchased by Mr. Bryan Lee and requested to develop Rifkin Village, the area had to be re-subdivided because the existing lots were too small and did not meet current zoning requirements. Since the developer was required to adhere to the existing lot sizes at the time of development; it was necessary to move the roadbed to accommodate the increase in lot sizes. It was later determined that the roadway was deeded to the Town in the 1970's and the Title Company requested the Town deed the roadway back to the developer so that he may continue with the sale of lots affected by moving the roadway and proceed with the completion of the Subdivision.

The Mayor and Council expressed the following concerns that needed to be answered prior to making a decision in regard to this request:

1. Why did it take the developer so long to make the request since there are homes that have been built in the subdivision?

2. Will the reconfiguration affect the existing owner's property in any way?
3. Can it be guaranteed that the Town will be "held harmless", if the deed is transferred?
4. If the Mayor and Council convey the property will there be any adverse effects on the existing or future property owners?
5. Can the conveyances be done all at once or one property at a time until the town can talk to the developer?

Approval of Minutes

A motion by Councilmember Bollinger seconded by Councilmember Willis and passed by a vote of five to zero approving the minutes of the previous meeting as printed.

OLD BUSINESS

Town Sign Design – Happy Mayer

Happy Mayer presented a revised design of the Town sign located on Reliance Avenue to the Mayor and Council for discussion and approval.

The Mayor and Council reviewed the sign design. Mr. Tim Foley questioned whether or not the incorporated/founded date should be included on the sign.

The Mayor and Council agreed to the sign design as presented, which does not include the incorporated/founded date; and to include 4" changeable letters.

Happy Mayer will contact Morton Sign Company to obtain a final cost for the sign design. Happy stated that there may be monies remaining in the Public Works budget to cover the cost of the sign.

Discussion – Water Line & K-9 Grants – Happy Mayer

Happy Mayer advised the Mayor and Council that RDA would consider funding only one project at this time. Therefore, Mayor and Council should decide whether to proceed with requesting grant funds for the water line extension project or the K-9 Police dog. Richard Colburn recommended that the Town request funding for the water line extension project; and to use

\$12,000 of the Town's funds from the sale of the former Police Station to purchase the K-9 dog, necessary equipment and training. The Town has already received a \$1,000 commitment from Choptank Electric toward the purchase of a vehicle cage for the K-9 dog. The Town can apply for funds from RDA for a K-9 Police vehicle in October 2010.

A motion was made by Councilmember Windsor, seconded by Councilmember Bollinger and passed by a vote of three to one (Councilmember Willis – Nay and Councilmembers Armes, Bollinger and Windsor – Yea) to request \$50,000 in grant funds from RDA for the water line extension to the Historical Museum.

The discussion regarding the purchase of the Police K-9 Dog was tabled until the December 21st Workshop so that more information can be obtained from Chief Nagel.

Introduction of Curfew Ordinance No. 2009-14

The Mayor and Council introduced Ordinance No. 2009-14, which would adopt a juvenile curfew ordinance for the town limits of Federalsburg. The Mayor and Council scheduled a Public Hearing to accept public comment on this ordinance at the January 4th Mayor and Council Regular Monthly Meeting at 6 p.m.

NEW BUSINESS

Introduction of Ordinance No. 2009-15 – Acquisition of Land for Maple Avenue Project

The Mayor and Council introduced Ordinance No. 2009-15, which authorizes the purchase and acquisition of property located at 122 South Main Street to construct, extend and maintain a stormwater drainage system project on Maple Avenue. The Mayor and Council scheduled a Public Hearing for Monday, January 4th, 2010 at 6 p.m.

Committee Reports

Federalsburg Historical Society

Bart Johnson reported that the Federalsburg Historical Society will host Christmas at the Museum on December 14th. On December 15th they will host a book signing with a slide show and dessert. The book signing will host Tom Horton and David Hart at 7 p.m. on the second floor of the town

hall. There will be no charge for this event. However, books will be available for sale in the amount \$30.00 each.

Federalsburg Volunteer Fire Department

Mayor Fluharty reported the following activities for the month of December:

Ladies Auxiliary will have a cookie walk on Dec. 20th at 7 a.m.

December 20th – Breakfast with Santa

Public Concerns

Kristin Engle – Drug Free Caroline Coalition

Mrs. Engle has been working with the Drug Free Caroline Coalition for the past six months. The purpose of the Drug-Free Caroline Coalition is to empower and support youth in making positive, healthy, and alcohol/drug/tobacco free choices in their lives. The mission of this organization is to engage the members of the community in prevention efforts toward changing community attitudes and behaviors that have supported substance use/abuse in Caroline County. Ms. Engle distributed flyers, tip line cards, and magnets.

They are also conducting a community survey, which she left at the office for distribution. They are planning an open house in January and February 2010. If anyone has any questions they can contact Karen Bishop who is the chairperson.

Action Items

Councilmember Windsor

Councilmember Windsor requested more details and an update on the status of the code violations at Steve Parks' home on Maple Avenue.

Councilmember Windsor also requested an update on the two sewer overflows and the steps that have been put in place to ensure that this does not happen again.

Councilmember Windsor also requested an update in regard to a constituent complaint regarding a fallen tree. Richard Colburn advised that this complaint was forwarded to Steve Watson, Code Enforcement Officer to handle and follow-up.

Councilmember Willis

Councilmember Willis asked if the Rental Housing Program was up and running. He was advised that letters will be sent out to landlords on Tuesday, December 8th.

Councilmember Willis questioned whether or not the extension for the property located at 301 Buena Vista Avenue had expired. Councilmember Bollinger advised that the property owners have a six month extension to complete the renovations to the main house before the temporary occupancy that was given for the garage is revoked.

Richard Colburn, Town Manager Report

Christmas Parade

The Christmas Parade is scheduled for Monday, December 14th, and Richard Colburn asked how many of the Mayor and Council plan to ride in the parade so that an appropriate vehicle can be obtained for them. Mayor Fluharty and Councilmembers Armes and Windsor will be riding in the parade. Councilmember Willis already made plans to ride in the parade with the Cub Scouts. The rain date for the parade is December 16th.

Christmas Holiday

The Mayor and Council granted approval to close the town offices on December 24th at 12 Noon for the Christmas Eve Holiday.

Most Beautiful Person

Richard Colburn reported that Mrs. Wendy Garner was named Most Beautiful Person for Caroline County and will represent Caroline County with other contestants for other counties in the state.

Mayor and Council Workshop

Richard Colburn announced that the Mayor and Council would have a workshop on Monday, December 21st at 6 p.m. They will also hold a Closed Session on December 21st at 5:30 p.m. to discuss a personnel matter.

Valve Repair – Temporary Water Disconnection

Richard Colburn reported that Public Works would be repairing a valve located at the intersection of North Park Lane and West Central Avenue on Thursday, December 10th. In order to conduct these repairs, it will be necessary to disconnect the water. The areas associated with the disconnection will be the 100 and 200 blocks of West Central Avenue; 100 and 200 Blocks of Morris Avenue; and 100 and 200 block of North Park Lane. Notices will be sent to residents and businesses that will be affected.

Adjournment

A motion by Councilmember Willis seconded by Councilmember Bollinger and passed by a vote of five to zero to adjourn at 8:30 p.m.

Submitted by,

Shirley A. Greene
Clerk/Treasurer